

Serial No.

49809

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. APR 02 1986

Returned to applicant for correction.

Corrected application filed. Map filed APR 16 1985 under 48867

The applicant Karl W. Berg

Box 160 of Round Mountain,
Street and No. or P.O. Box No. City or Town

Nevada 89045 hereby make^s application for permission to change the
State and Zip Code No.

Manner of Use and Place of Use of a Portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under 37119
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decrees.)

1. The source of water is Underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed. .04 cfs 26.88 acre feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Quasi-municipal (see remarks)
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point. SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 29, T 11 N, R 43 E, MDB&M
Describe as being within a 40-acre subdivision of public survey and by course and
at a point from which the S $\frac{1}{4}$ corner bears S 67° 18' 38" W a distance of
distance to a section corner. If on unsurveyed land, it should be stated.
1445.54 feet.

6. The existing permitted point of diversion is located within.
If point of diversion is not changed, do not answer.

7. Proposed place of use. See Exhibit "A" attached
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use. See Exhibit "B" attached
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from Jan. 1st to Dec. 31st of each year.
Month and Day Month and Day

10. Use was permitted from Jan. 1st to Dec. 31st of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Complete designed water system to
State manner in which water is to be diverted, i.e. diversion structure, ditches,
service 24 lots
pipes and flumes, or drilled well, etc.

12. Estimated cost of works. \$15,000.00

13. Estimated time required to construct works. 3 years

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

24 individual lots

Item #3: NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 32 - 4.1855 acres; SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 29 -

1.6181 acres; SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 29 - 0.2671 acre; NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 29 -

0.6493 acre. Use map filed under Application 48867.

Lowell D. Emery, SWRS

By s/ Lowell D. Emery Agent

P. O. Box 84

Fallon, Nev. 89406

Compared dn/se js/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 37119 is issued subject to the terms and conditions imposed in said Permit 37119 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 49809 and 49810 shall not exceed 8.76 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.04 cubic feet per second, but not to exceed 8.76 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before June 30, 1987

Proof of completion of work shall be filed before July 30, 1987

Application of water to beneficial use shall be made on or before October 16, 1988

Proof of the application of water to beneficial use shall be filed on or before November 16, 1988

Map in support of proof of beneficial use shall be filed on or before _____

Completion of work filed AUG 18 1987

IN TESTIMONY WHEREOF, I PETER G. MORROS,
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed _____

my office, this 9th day of December,

Cultural map filed _____

Certificate No. _____ Issued _____

A.D. 1986

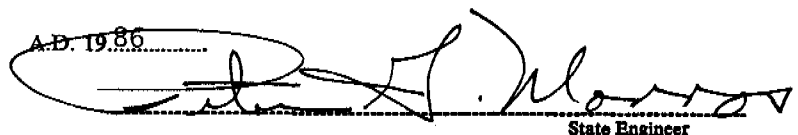

State Engineer

Exhibit "A" Karl W. Berg

PROPOSED PLACE OF USE

#7.

- Parcel #1: All that portion of the $W\frac{1}{2}$ of $SE\frac{1}{4}$, Section 29, Township 11 North, Range 43 East, MDB&M, lying North of Nevada State Highway 376, except the Westerly 660.5 feet.
- Parcel #2: $NE\frac{1}{4}$ of $SE\frac{1}{4}$, Section 29, Township 11 North, Range 43 East, MDB&M.
- Parcel #3: $SE\frac{1}{4}$ of $SE\frac{1}{4}$, Section 29, Township 11 North, Range 43 East, MDB&M, lying Northerly of Nevada State Highway 376.
- Parcel #4: $NE\frac{1}{4}$ of $NE\frac{1}{4}$, Section 32, Township 11 North, Range 43 East, MDB&M, lying Northerly of Nevada State Highway 376.

Exhibit "B" Karl W. Berg
#5.

EXISTING PLACE OF USE

- Parcel #1: All that portion of the $W\frac{1}{2}$ of $SE\frac{1}{4}$, Section 29, Township 11 North, Range 43 East, MDB&M, lying North of Nevada State Highway 376, except the Westerly 660.5 feet.
- Parcel #2: $NE\frac{1}{4}$ of $SE\frac{1}{4}$, Section 29, Township 11 North, Range 43 East, MDB&M.
- Parcel #3: $E\frac{1}{2}$ of $E\frac{1}{2}$ of $SE\frac{1}{4}$ of $SW\frac{1}{4}$, Section 29, Township 11 North, Range 43 East, MDB&M.
- Parcel #4: All that portion of the $W\frac{1}{2}$ of $SE\frac{1}{4}$, Section 29, Township 11 North, Range 43 East, MDB&M, lying Southerly of the Nevada State Highway 376.
- Parcel #5: $SE\frac{1}{4}$ of $SE\frac{1}{4}$, Section 29, Township 11 North, Range 43 East, MDB&M, except that portion within the boundary of Nevada State Highway 376.
- Parcel #6: $NW\frac{1}{4}$ of $NE\frac{1}{4}$, Section 32, Township 11 North, Range 43 East, MDB&M, except the West 258 feet.
- Parcel #7: $NE\frac{1}{4}$ of $NE\frac{1}{4}$, Section 32, Township 11 North, Range 43 East, MDB&M, except that portion within the boundary of Nevada State Highway 376.

Excepting from Parcels #1 & 5 above 21.28 acres North of Highway 376 under Permits 46913 & 46914 for quasi-municipal.

Total area: 192.72 acres